

**BEFORE THE
COMMUNICATIONS C
Washington, D.C. 20554**

In the Matter of:)
) WT Docket 02-55
City of Baltimore, Maryland)

To: Public Safety and Homeland Security Bureau

PETITION FOR EXTENSION

The City of Baltimore, Maryland (“Baltimore City”), by its attorneys, hereby requests an extension to April 30, 2008 of the Wave 1 October 15, 2007 deadline for completion of planning and submission of a cost estimate to Sprint, recently established by the Commission in Public Notice, *FCC Announces Supplemental Procedures and Provides Guidance for Completion of 800 MHz Rebanding*, FCC 07-168, released September 12, 2007. This requested extension is necessary to provide sufficient time for the completion of planning activities currently underway under existing contracts with Motorola, Inc. (“Motorola”) and RCC Consultants, Inc. (“RCC”) and further CMARC interoperability planning as set forth in the attached Planning Schedule (Attachment A).

I. System Size, Complexity and Interoperability

Baltimore City operates large 800 MHz public safety trunked voice, non-trunked mutual aid and data radio networks with more than 5,200 radio mobile units under call signs WQCB503, WQBC704, WPRY413, WQAA330 and WQCS503. These systems utilize 38 frequencies in the National Public Safety Planning Advisory Committee (“NPSPAC”) portion of the 800 MHz band. Together with other members of the Central Maryland Area Radio Committee (“CMARC”), Baltimore City has worked closely with neighboring Maryland jurisdictions and

other jurisdictions in the National Capital Region (“NCR”) in a coordinated regional effort to achieve radio system interoperability in and between both regions.¹ Over the past 20 years, CMARC jurisdictions have built one of the most advanced interoperable public safety voice radio environments in the United States. This present inoperability environment is depicted in the attached map of the Maryland CMARC region (Attachment B).

Given both the size and complexity of Baltimore City’s facilities and the extensive level of interoperability with other systems, careful planning efforts are the essential prerequisite to system rebanding. Baltimore City’s planning efforts currently underway are scheduled to cost several hundred thousand dollars under the funding contract with Sprint approved by the TA. From the beginning of the rebanding process, Baltimore City has been working diligently with other CMARC jurisdictions (and through CMARC with NCR jurisdictions) to develop comprehensive and realistic area-wide rebanding plans that will maintain present levels of area-wide interoperability. The six CMARC jurisdictions have (and continue to) invested substantial time and resources to the development of interoperability and mutual aid capabilities and expect that rebanding implementation will be consistent with this ongoing process. Any rebanding plan accepted by the City must maintain and not disrupt present interoperable capabilities that play a critical role in Baltimore City’s day-to-day responsibilities to protect the public and to maintain the ability to respond to major incidents, disasters, terrorist attacks, and other large-scale emergency response situations.

¹ The other CMARC member jurisdictions in Maryland are Baltimore County, Anne Arundel County, Carroll County, Hartford County and Howard County.

II. Baltimore City Has Proceeded Diligently With Planning Efforts To Date.

While the Transition Administrator (“TA”) planning funding request window originally opened on November 18, 2005, a combination of circumstances and start-up problems delayed the practical start of the planning funding process for several months thereafter. Almost concurrent with the opening of the window, the TA revised the required funding request form several times to require significantly more category-specific information from prospective vendors before the form could be completed and filed. Additionally, the planning funding negotiation process started slowing and with difficulty, frustrating public safety agencies “in their efforts to obtain agreements with Sprint Nextel to pay for reconfiguration planning.”²

Since its initial Kick-off meeting with Sprint on April 4, 2006, Baltimore City has proceeded diligently as following in securing funding for its planning activities and then in commencing its planning efforts now underway:

May 4, 2006 – Request for Planning Funding submitted to the TA.

July 17, 2006 - Request for Planning Funding forwarded to Sprint by the TA.

July 28, 2006 – First negotiating session with Sprint.

September 5, 2006 – Sprint counteroffer received by Baltimore City.

October 9, 2006 - Commencement of Mediation Notice received.

October, 2006 – Agreement on planning costs reached with Sprint.

December 11, 2006 – Planning Funding Agreement submitted to TA, following negotiation of non-price terms and execution of agreement.

December 22, 2006 – Planning Funding Agreement approved by TA.

²See, Letter to Catherine W. Seidel, Acting Chief, Wireless Telecommunications Bureau, dated January 12, 2006, from Association of Public-Safety Communications Officials-International, International Association of Chiefs of Police, International Association of Fire Chiefs, Major Cities Chiefs Association, Major County Sheriff’s Association and National Sheriff’s Association.

January, 2007 – Notice of TA approval received by Baltimore City.

January 22, 2007 – Proposed contract for planning services forwarded to Motorola.

May 11, 2007 – Contract with Motorola for planning services executed following negotiation of non-price terms.

June 6, 2007 – Kick-off meeting with Motorola to start their planning work.

III. Current Status and Anticipated Schedule for Completion of Planning Activities.

Baltimore City's planning services agreements with Motorola estimates that, providing there are no significant delays, Motorola's planning work will be completed 4.6 months after the initial kick-off meeting pursuant to a more specific work schedule to be developed at the kick-off meeting.³ At this time, based on current discussion with Motorola representatives, Baltimore City understands that Motorola anticipate the completion of its planning work and delivery of a draft implementation proposal by November 28, 2007.⁴

Following receipt of a draft implementation proposal from Motorola, the attached Planning Schedule further builds in brief periods for review, mark-up, if necessary, and finalization of the Motorola implementation proposal, as well as for the additional CMARC interoperability planning work described in footnote 4 necessary for the submission of the final overall implementation plan and costs to Sprint.

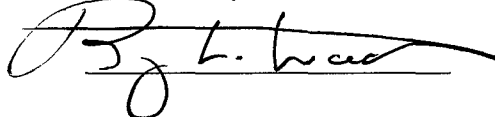
³ More specifically, current planning activities by Motorola are being conducted under two contracts, one covering voice system operation and the other for the data system. The latter data system planning contract estimated a one month period to complete planning activities for that system and has been completed.

⁴ In addition, it should be noted that discussions are currently underway between CMARC representatives, Sprint and Motorola concerning the planning necessary to ensure that interoperability will be maintained during rebanding when a changing variety of new and old frequencies will be in use by various jurisdictions. This effort involves the assessment of the existing transmit antenna combiner capacity at 28 of the 50 plus transmit sites in the six jurisdiction CMARC region at which non-trunked NPSPAC National Mutual Aid channels are networked together and the extent, if any, to which additional combiner and antenna equipment will be needed on a temporary basis during actual rebanding. The anticipated time necessary to complete this additional planning effort is included as part of the attached Planning Schedule (Attachment A).

CONCLUSION

Baltimore City submits that the schedule set forth in this extension request for the completion of its planning activities is reasonable and constitutes the minimum amount of time necessary to complete the complex and substantial planning effort required under the circumstances presented. For these reasons, Baltimore City requests an extension to complete planning activities and submit a cost estimate to Sprint to April 30, 2008.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "P. Tannenwald", written over a horizontal line.

Peter Tannenwald
Ramsey L. Woodworth

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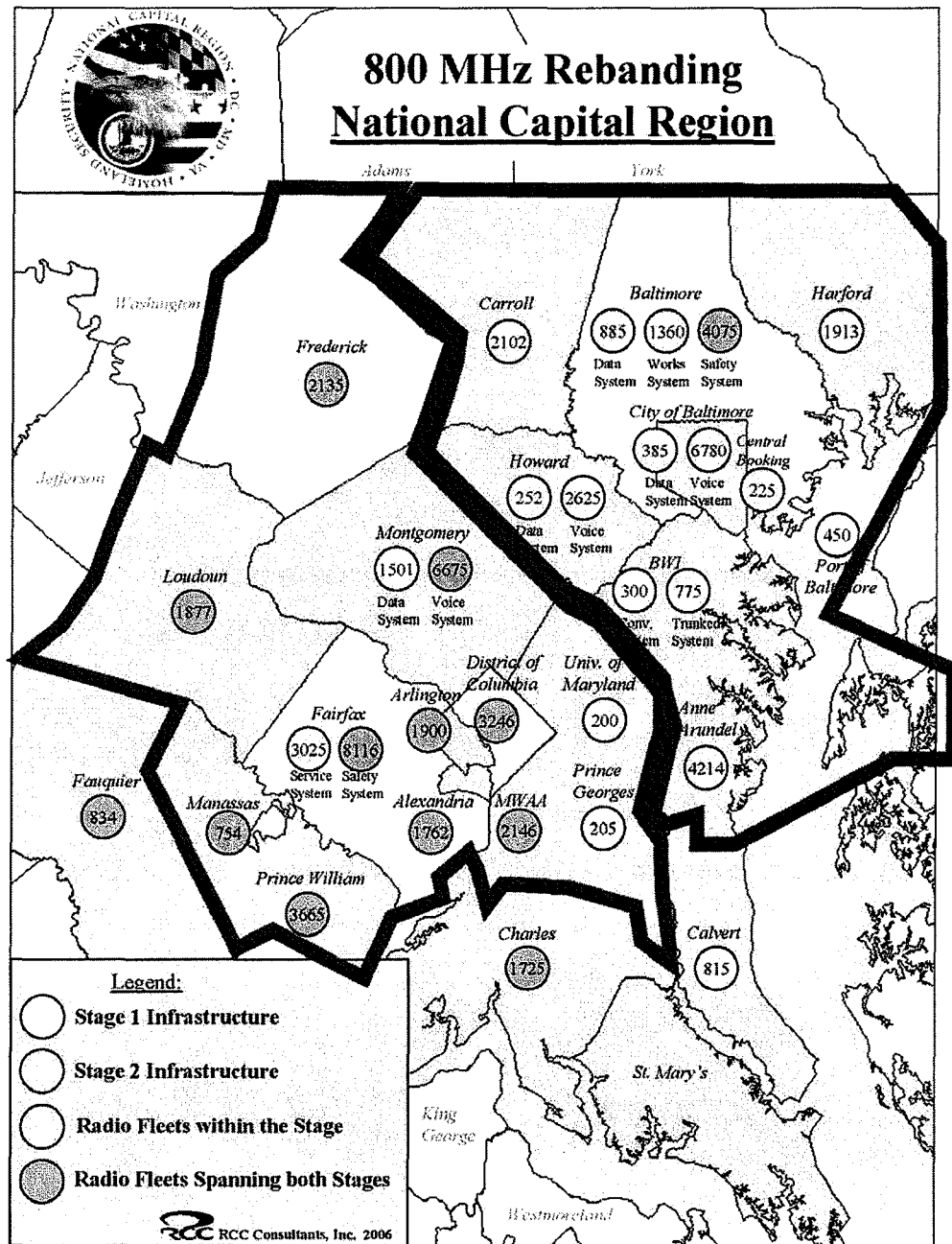
Special Counsel to the City of
Baltimore, Maryland

October 12, 2007

Attachment A**City of Baltimore, Maryland**

Planning activity / Milestone	Primary Responsibility	Duration Notes	Start Date
CMARC Interoperability kick off meeting with Motorola.	CMARC & Motorola		4/25/2007
Administrative and technical discussions with Motorola on 5/16, 7/23, 8/6, 8/22 and receipt of a hi level concept on 8/30 for a CMARC plan of interoperability during rebanding.	CMARC & Motorola		8/30/2007
Motorola provided answers to the remaining CMARC questions on the hi level concept. CMARC requested the detailed plan and final costs.	Motorola	Regular CMARC meeting	10/3/2007
Motorola delivers draft Implementation Proposal. (Does not include any Interoperability Planning.)	Motorola		11/28/2007
City provides Motorola review comments on draft.	City / RCC	10 days	12/12/2007
Motorola and City meet to resolve/discuss action items in draft.	City & Motorola	10 days	12/26/2007
Motorola returns updated Implementation Proposal. (Does not include any Interoperability Planning.)	Motorola	10 days	1/9/2008
City provides Motorola final review comments. (Does not include any Interoperability Planning.)	City / RCC	15 days	1/30/2008
Motorola delivers draft Implementation Proposal including complete Interoperability Planning.	Motorola	90 days from 10/12/2007	2/27/2008
All CMARC member agencies to confer on the NPSPAC Mutual Aid channels and systems key sharing Interoperability Implementation Proposal.	All CMARC member agencies	Regular CMARC meeting	3/5/2008
CMARC Lead Agency (Carroll County) confers with the NCR lead agency (Fairfax) for Interoperability Planning compatibility.	CMARC & NCR lead agencies	5 days	3/12/2008
CMARC considers NCR discussion and provides Motorola review comments on draft Interoperability Plan.	CMARC lead agency	5 days	3/19/2008
Motorola and CMARC meet to resolve/discuss action items on complete plan draft.	Motorola & CMARC agencies	10 days	4/2/2008
Motorola returns updated complete Implementation Proposal.	Motorola	15 days	4/23/2008
City accepts the complete Trunked System and Interoperability System Implementation Plan provided by Motorola and submits to Sprint/Nextel and the TA.	City / RCC	5 days	4/30/2008

Attachment B



Allocation of infrastructure and subscriber radios and quantities were developed during combined NCR and CMARC regional meetings prior to each licensee's formal planning process. Therefore these quantities were used to begin the planning process and not necessarily the actual count.

Certificate of Service

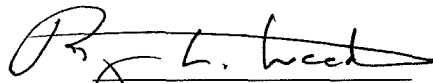
I, Ramsey L. Woodworth, do hereby certify that I have on this 12 day of October, 2007, caused to be sent by e-mail copies of the foregoing Petition for Extension to the following:

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